



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q58716

Masayuki NAYA, et al.

Appln. No.: 09/649,013

Group Art Unit: 1756

Confirmation No.: 7581

Examiner: Martin J. Angebrannndt

Filed: August 28, 2000

For: OPTICAL WAVELENGTH CONVERTING DEVICE AND PROCESS FOR  
PRODUCING THE SAME

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of the petitioner, FUJI PHOTO FILM CO., LTD., represents that the petitioner, FUJI PHOTO FILM CO., LTD. is the owner of the entire right, title and interest of U.S. Application No. 09/612,906, filed on July 10, 2000 for Method of fabricating a diffraction grating by virtue of an Assignment from all of the inventors thereof executed on June 20,2000, recorded on July 10, 2000 at Reel 010954, Frame 0453, now issued as U.S. Patent 6,344,367 as well as the entire right, title and interest in the above-captioned U.S. Application No. 09/649,013 by virtue of an Assignment from all of the inventors thereof executed on July 26,2000, recorded on August 28, 2000, at Reel 011054, Frame 0843.

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

02/23/2005 AWONDAF1 00000060 09649013

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**Terminal Disclaimer**

U.S. Patent Application Ser. No.: 09/649,013

**Q58716**


Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 09/649,013 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,344,367, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 09/649,013 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,344,367 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 09/649,013, this agreement to run with any patent granted on the above-captioned U.S. Application No. 09/649,013 and to be binding upon the grantee, its successors or assigns.

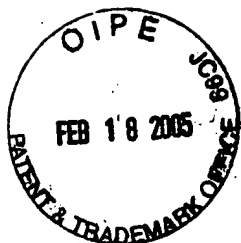
Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 09/649,013 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,344,367 in the event that U.S. Patent 6,344,367 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned is an attorney of record.

Respectfully submitted,

Date: February 18, 2005

  
Susan Perng Pan  
Reg. No. 41,239  
Attorney of Record



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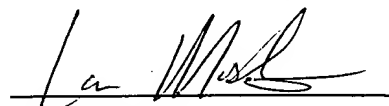
**SUBMISSION OF TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$130.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this Submission is attached.

Respectfully submitted,

  
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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: February 18, 2005